

DRAFT: REVISED 9/28/10

(Underline indicates addition)

(~~Strikeout~~ indicates deletion)

ORDINANCE NO. _____ (NEW SERIES)

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE PROVISIONS
RELATING TO WIRELESS TELECOMMUNICATIONS FACILITIES**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that provisions in the Zoning Ordinance related to wireless telecommunications facilities should be amended to streamline the permitting process and to revise and clarify existing regulations while promoting the public health, safety and welfare of the residents of the unincorporated areas of San Diego County and preserving the character and protecting the aesthetic quality of our communities.

Section 2. Section 1110, Definitions (G), "Grade" of the Zoning Ordinance is amended to read as follows:

Grade: For the purpose of determining building or structure height and calculating the number of stories, grade is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building or structure and the property line, or when the property line is more than ~~five~~ feet from the building or structure, the area between the building and a line ~~five~~ feet from the building or structure.

Section 3. Section 6980 of the Zoning Ordinance is amended to read as follows:

6980 WIRELESS TELECOMMUNICATIONS FACILITIES

Sections 6980 through 6991 constitute the Wireless Telecommunications Facilities regulations.

Section 4. Section 6981 of the Zoning Ordinance is deleted:

~~6981 CONFLICT RESOLUTION~~

~~Sections 6980 — 6991 are intended to be supplemental to the Zoning Ordinance. In case of conflict between the provisions represented in these sections and the provisions set forth in the Zoning Ordinance, the provisions of these sections shall apply.~~

Section 5. Section 6982 of the Zoning Ordinance is amended to read as follows:

6982 PURPOSE

~~The purpose and intent~~ provisions of this Sections 6980 through 6999 ~~is~~ are intended to provide a uniform and comprehensive set of standards for ~~the developmenting~~, siting and installation ~~ing~~ of wireless telecommunications facilities. These regulations are intended to protect and promote the public health, safety and welfare of the residents of the unincorporated areas of San Diego County and to preserve community character and protect aesthetic quality in accordance with the guidelines and intent of the Telecommunications Act of 1996 and to encourage siting of these

uses in preferred locations to minimize aesthetic impacts and to minimize the intrusion of these uses into residential areas.

Section 6. Section 6983 of the Zoning Ordinance is amended to read as follows:

6983 DEFINITIONS

For the purpose of the Wireless Telecommunications Facilities regulations ~~contained in Sections 6980 through 6994~~, certain abbreviations, terms and words shall be used, interpreted and defined as set forth in this Section. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural indicate the singular include the plural.

A. ~~Administrative Site Plan — A Site Plan, pursuant to Sections 7150 through 7174 of this Ordinance, that does not require community review except as noted in Section 6987 A of this Ordinance.~~

Antenna=: ~~Any system of wires, poles, rods, reflecting discs or similar devices designed for telephonic, radio, facsimile, data or television communications through sending and/or receiving of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include, but not be limited to, devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted up and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be part of the antenna. One or more rods, poles, panels, discs, or similar devices used to transmit and/or receive radio or electromagnetic signals, including omni-directional antennas (whip), directional antennas (panel), and parabolic antennas (dish), but excluding any support structure.~~

Antenna Height — ~~The vertical distance measured from the ground surface at grade to the tip of the highest point of the proposed structure.~~

Antenna Support — ~~Any pole, telescoping mast, tower tripod or any other structure that supports a device used in the transmitting and/or receiving of electromagnetic waves.~~

Applicant — ~~A person who applies for a wireless facility siting. An applicant can be the owner of the property or someone who is representing the owner, such as a builder, developer, optional purchaser, lessor, consultant or architect.~~

G. ~~Camouflaged Facility=:~~ Any telecommunications facility that is designed to blend into the surrounding environment. Examples of a camouflaged facilities ~~may include a architecturally screened roof-mounted antennas that is architecturally screened, a building-mounted antennas painted to match the existing structure, an antennas integrated into architectural elements, a towers support structure made to look like a trees and an antenna structures designed to look like a light poles. Camouflaged facilities may be considered low or high visibility depending on the type of facility, degree of camouflaging and compatibility with the surrounding existing environment (see definitions of low and high visibility).~~

Co-location — Locating wireless telecommunications equipment from more than one provider on a single site. The use of one wireless telecommunication facility support structure by two or more providers of wireless services or by one provider for more than one type of antenna.

~~Commercial Zones are defined as consisting of the following zones: C32, C34, C35, C36, C37, C38, C40, C42, and C44, and also S88 when the proposed site is in a commercial component of a Specific Plan.~~

Community Character= Those unique attributes including, but not limited to, architecture, historical and cultural features, historical development patterns, landscape, hardscape and the size, scale and spacing of buildings and other structures that define a community's identity.

~~E. Equipment Building, Shelter or Cabinet A cabinet or building used to house equipment used by telecommunication providers at a facility.~~

Distributed Antenna System (DAS): A network of spatially separated antenna sites (nodes) connected to a common source via a transport medium that provides wireless service within a geographic area.

Distributed Antenna System (DAS) Master Plan: A plan of specific sites and designs for a Distributed Antenna System within a defined geographic area for one wireless service provider.

Equipment Enclosure: A freestanding or mounted structure, shelter, cabinet or vault used to house and protect the electronic and supporting equipment necessary for processing wireless communication signals. Supporting equipment includes, but is not limited to, air conditioners, emergency generators and other back-up power supplies.

~~F. Façade Mounted Antenna An antenna architecturally integrated into the façade of a building or structure.~~

~~Facility See Wireless Telecommunications Facility.~~

Facility Height: The vertical distance measured from the ground surface at grade to the tip of the highest point of the proposed support structure or antenna, whichever is greater.

Faux Trees: A term used to refer to Monopalm, Monopine, monobroadleaf and/or other camouflaged monopoles made to resemble different types of trees or other vegetation.

~~G. Grade The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the structure and the property line or, when the property line is more than 5 feet from the structure, between the structure and a line 5 feet from the structure.~~

Guyed Tower= A telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.

~~H. High Visibility Facility: The following shall be considered High Visibility facilities: A monopole, lattice tower or guyed tower; non-camouflaged facility; or any wireless facility that does not meet the definition of an invisible or low visibility facility.~~

~~1) Monopoles, lattice towers and guyed towers~~

~~2) Non-camouflaged facilities~~

3) ~~_____ Faux Trees~~

4) ~~_____ Any and all wireless facilities not defined as invisible or low visibility.~~

~~High Voltage Transmission Tower — a tower carrying transmission lines of at least 132 kilovolts.~~

I. ~~_____ Industrial zones — are defined as consisting of the following zones: M50, M52, M54, M56, M58, and also S88 when the proposed site is in an industrial component of a Specific Plan.~~

~~Invisible Facility=:~~ A Facility, including, but not limited to towers, support structures, antennas and equipment cabinets, enclosures and any other ancillary equipment, that cannot be seen from any street and/or from all adjacent properties and that does not result in any apparent architectural changes or additions, including Community Identification Signs, when the antennas are fully integrated into the sign. A facility to which ~~The addition of landscaping, walls, fences or grading is added as screening techniques does not meet the definition of an invisible facility.~~

L. ~~_____ Lattice Tower =:~~ A guyed or self-supporting three or four sided, open, steel frame support structure used to support telecommunications equipment.

~~Low Visibility Facility=:~~ The following shall be considered Low Visibility facilities if they do not exceed the height schedule pursuant to Sections 4610 - 4620 of this Ordinance:

a. A Whip antennas that meets all of the following criteria:

1. not exceeding a maximum of six feet in length or height, including mounting,

2. and measuring a maximum of no more than 3 three inches in diameter,

3. located on an existing structures including, but not limited to, a water storage tanks, high-voltage transmission towers, utility towers and poles, sign standards, and roadway overpasses,

4. if the addition, including any vertical mounting, does not result in an increase in the height of the structure of by more than 5 five feet, and

5. and with an equipment cabinets enclosure that are:

a) is screened from view by means other than new walls or fences,

b) and has total dimensions a maximum volume of no greater than 50 cubic feet, and

c) and no dimension greater than 6 six feet.

Equipment Cabinets enclosures in underground vaults are not included in subject to the size calculation volume and dimension criteria.

b. A Panel-shaped antennas that are that meets all of the following criteria:

1. flush-mounted to an existing building façade or other existing structure on at least one edge,

2. extends a maximum of 24 inches from the building façade or other structure at any edge,

3. does not exceed the height of the building or other structure by more than five (5) feet, and

4. are designed to blend with the color and texture of the existing building or structure, and

5. with no equipment cabinet enclosure is visible.

c. A Facility, including equipment cabinets enclosures, that are camouflaged from public view through the use of architectural treatments, such as cupolas, faux water towers, faux trees, windmills or other structures and which are consistent with existing development and community character.

d. An addition to an existing permitted low-visibility facility if the additions themselves itself meets the definition of low visibility and meets all of the following criteria:

1. are designed to minimize visibility of both the facility and equipment cabinets enclosures.

2. that has a maximum total dimensions volume no greater than of 50 cubic feet,

3. and has no single dimension greater than 6 six feet, and

4. are screened from view by means other than new walls and/or fences. The volume and dimension criteria do not apply if the equipment cabinet enclosure may be larger if contained is inside a structure consistent with the architecture and character of the site.

e. A Change to an existing building that are consistent with the building's architectural style, and the equipment cabinet enclosure is not visible.

M. Monopalm — a monopole camouflaged to resemble a palm tree.

Monopine — a monopole camouflaged to resemble a pine tree.

Monopole—: A wireless communication facility consisting of a single pole constructed without guy wires and ground anchors.

P. Panel Antenna—: An antenna or array of antennas designed to concentrate a radio signal in a particular area. Also called a directional antennas.

R. Residential Zones — for purposes of this section, are defined as consisting of the following zones: RS, RD, RR, RM, RV, RU, RMH, RRO, RC, S80, S87, S90, C30, C31, C46 and also S88 when the proposed site is in a residential component of a Specific Plan.

Roof Mounted Antenna—: Any antenna with its support structure placed directly on the roof of any building or structure.

~~Rural Zones — are defined as consisting of the following zones: A70, A72 and S92.~~

S.——Service Area==: The area served by a single wireless telecommunications facility.

Service Network==: The telecommunications transmission system operated by a service provider in a community or jurisdiction.

Service Provider: The private sector entity that provides wireless telecommunication services to the general public or that owns or operates a wireless telecommunications facility.

Support Structure: A mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support antennas or any existing structure on which antennas are placed. This definition shall include all devices and materials used to mount or attach an antenna to a structure.

~~Special Purpose Zones — are defined as consisting of the following zones: S82, S86 and S94.~~

T.——Telecommunications==: The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

~~Telecommunications Tower — Any mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support antennas.~~

~~Tower — See Telecommunications Tower.~~

Water District Utility Site: A parcel containing facilities owned and operated by a water district including but not limited to above-ground water tanks, below-ground water reservoirs, and pump stations.

W.——Whip Antenna=: An antenna that transmits signals in 360 degrees. ~~A W~~Whip antennas are typically cylindrical in shape and are less than 3three inches in diameter and measures up to 6six feet in length, including the mounting. Also called an omni-directional, stick or pipe antennas.

~~Wireless Community Master Plan — a Master Plan of preferred sites and designs for wireless facilities for a defined geographic area prepared in cooperation with one or more wireless service providers; formally submitted by the community planning group or sponsor group or by a homeowners association representing at least 4,000 residents and at least 5,000 acres to the Director of Planning and Land Use; reviewed by the Director for such issues as aesthetics and community compatibility; and following public review, approved by the Director. A Community Master Plan can be applicable to all providers or to selected providers as defined in the Plan.~~

Wireless Telecommunications Facility: —Any An unstaffed facility that transmits and/or receives radio or electromagnetic waves, including, but not limited to, communication signals for cellular phone, personal communication services, pagers, wireless internet and/or similar services that currently exist or that may be developed in the future. The facility may include one or more antennas, repeaters, radio transmitters, cables, dish antennas and other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting said equipment, equipment enclosures, air vents, antenna support structures, air conditioning units, fire suppression

~~systems, and emergency back-up generators or other back-up power sources. buildings, parking area and other accessory development. Also known as a wireless communications facility. This definition does not apply to Amateur Radio Stations as defined by the Federal Communications Commission, in Part 97 of the Commission's Rules nor to TV and radio transmission facilities.~~

Section X. Section 6984 of the Zoning Ordinance is amended to read as follows:

6984 APPLICATION REQUIREMENTS

In addition to meeting ~~the~~ standard application submittal requirements for ~~a~~ discretionary permits, all applicants for wireless telecommunications facilities shall provide ~~3 copies~~ all of the information listed below. ~~One copy shall be distributed by the Department to the appropriate Planning or Sponsor Group. When a facility meets all requirements for processing under Tier 1, the requirements of Sections B and C 1 shall not be required. The Director of the Department of Planning and Land Use may waive any of the submittal requirements listed below or require additional information based upon specific project factors:~~

~~Aa. Geographic Service Area. Identify the geographic service area for that the subject installation, including a map showing all the applicant's proposed wireless facility would serve and show all existing wireless telecommunication facility sites in the local service network of the provider associated with the gap the facility is meant to close. Describe how this service area fits into and is necessary for the company's service network.~~

~~Bb. Visual Impact Analysis Simulations. A visual impact analysis Provide visual simulations shall be provided showing the maximum silhouette, viewshed analysis, color and finish palette proposed design of the support structure and associated equipment and the color, materials and proposed screening. The analysis shall include pPhoto simulations and other information as necessary to determine visual impact of the facility shall be prepared showing the proposed facility as viewed from public vantage points such as major roadways. Include aA map depicting where the photos were taken and the views being represented shall be included. Additional visual simulations may be required for projects where visibility of the proposed support structure and/or equipment may adversely affect neighboring property owners or the public.~~

~~C. Narrative.~~

~~1. Height. Show the height of the facility. Carriers must provide evidence that establishes that the proposed facilities have been designed to the minimum height required from a technological standpoint for the proposed site. If the tower will exceed the maximum permitted height limit, as measured from grade, a discussion of the physical constraints (topographical features, etc.) making the additional height necessary shall be required. For a facility designed to exceed the height limitation allowed under the existing height designator of the zone, the applicant shall submit a map showing the signal coverage at the height limitation and a map showing the signal coverage at the proposed height. Exceptions to the height limitations may be approved pursuant to Section 4620 g as part of a Major Use Permit application. For facilities not subject to a Major Use Permit, exceptions to the height limitations shall be subject to approval of a Minor Use Permit, as required by Section 4622 j of this ordinance.~~

~~2. Maintenance. Describe the anticipated maintenance (manned and unmanned) and monitoring program for the antennas, back-up equipment and landscaping.~~

3. _____
- e. _____ Noise/Acoustical Information. ~~As part of the Application for Environment Initial Study,~~
Provide the manufacturer's noise or sound specifications for all equipment, including data transmitting devices, such as air conditioning units and back-up generators, and a depiction of the equipment location in relation to adjoining properties.
4. _____ If the site is not a preferred site as described in Section 6986, provide the information required in Section 6986 B.
5. _____
- f. _____ Concept Landscape Plan. Provide a plan showing all proposed landscaping, screening and ~~proposed irrigation with a discussion of how the chosen material at maturity will screen the site.~~ If a water district will provide the water, a Service Availability Letter is required from the appropriate water district.
6. _____
- g. _____ Fire Service. ~~Provide evidence of information on the project plans to demonstrate that the proposed wireless facility is designed in compliance with County Fire Policy FP-2 or provide a sService Availability lLetter from the applicable fire district.~~
7. _____
- h. _____ Hazardous Materials. Provide a Listing of all hazardous materials, as defined by the Department of Environmental Health, to be used on the site during construction or operation of the wireless facility.
8. _____ For all applications for facilities located in the public right of way, include on the plot plan the location of parking for maintenance personnel.
9. _____
- i. _____ Co-Location. ~~A letter~~Add a note on the plans which clearly states the applicant's willingness to allow other carriers to co-locate on their applicant's facilitiesy wherever technically and economically feasible and aesthetically desirable.
10. _____ The lease area of the proposed facility on the plot plan.
11. _____
- j. _____ For all applications for wireless facilities operating below 1200 megahertz, submit a copy of the Federal Communications Commission Licensing Application Form 601, Main Form, Pages 1 through 4;_i Schedule A, Page 1;_i Schedule D, Page 1;_i and Schedule H, Pages 1 through 3. ~~The application shall be reviewed by the Sheriff's Wireless Services Unit to determine potential interference with the Regional Communication System. Interference with that system may be grounds for denial.~~

Section X. Section 6985 of the Zoning Ordinance is amended to read as follows:

6985 APPLICATION PROCESSING

Applications for wireless facilities that meet the maximum height limit allowed by the applicable height designator of the zone will be processed based on the criteria described below. However, pursuant to Section 4622.j, of this Ordinance, a wireless facility that would exceed the maximum height limit allowed by the applicable zone shall process a Minor Use Permit in accordance with Section 7350 et seq. of this Ordinance.

Although a ~~tier~~permit type may be assigned at project intake, a re-evaluation and reassignment of the project ~~tier~~ may occur at any point in the process, including, but not limited to, review by the Planner, Environmental Analyst or ~~Hearing Officer~~Director.

A. ~~Applications will be processed based upon the following 4-tier permitting system, subject to the exceptions and general regulations found in Sections 6985 B and C:~~

a. The following requirements shall apply to all Wireless Telecommunication Facilities unless an exception in Section 6985 b applies:

1. TIER 1 – ADMINISTRATIVE SITE PLAN

A Facilitiesy that meetings any of the following criteria shall be processed as an ADMINISTRATIVE SITE PLANSite Plan.

Industrial and Commercial Zones

a) In Industrial and Commercial Zones:

i. Invisible facilitiesy.

ii. Low visibility facility.

~~Facilities on: CALTRANS structures, “cobra-style” streetlights and poles in the public right of way, or an existing park and ride light standard, when they meet all the following:~~

- ~~— The antennas do not project more than 24 inches above the structure,~~
- ~~— No more than a total of two antennas are located on a site~~
- ~~— The equipment cabinet is no larger than 6 cubic feet.~~
- ~~— The equipment cabinet is concealed from public view through the use of undergrounding or screening by means other than walls or fences.~~

iii. Façade mounted antennas integrated into the architecture in such a mannerso that no change to the architecture is apparent, and no part of the facility can be seen from public view.

iv. Facilitiesy not subject to the “B”, “D”, “H” or “J” Designators and that is are:

-Hidden from public view through the use of architectural treatments (cupolas, etc.); and

-Consistent with the existing building and community character.

b) In Special Purpose Zones (S82, S86 and S94):

Low visibility facility.

Any Zone

c) In any zone:

i. Distributed Antenna System (DAS) Master Plan

ii. Facility on a CALTRANS structure, “cobra-style” streetlight or pole in the public right of way, or an existing park and ride light

standard, when it meets all the following:

- The antenna does not project more than 24 inches above the structure.
- No more than a total of two antennas are located on a site.
- The equipment enclosure is no larger than 6 cubic feet, and
- The equipment enclosure is concealed from public view through the use of undergrounding or screening by means other than walls or fences.

- iii. Antennas located on a high voltage transmission towers if they antenna increases the bulk and scale of the structure by less than five percent.

~~TIER 2— SITE PLAN WITH COMMUNITY REVIEW~~

~~Facilities meeting any of the following criteria shall be processed as a SITE PLAN WITH COMMUNITY REVIEW:~~

~~**Commercial, Industrial and Special Purpose Zones**~~

- ~~• Low visibility facilities.~~

~~**All Zones**~~

- ~~• Facilities covered by a Wireless Community Master Plan when the design and siting are consistent with the plan.~~

~~TIER 3— MINOR USE PERMIT~~

~~Facilities meeting any of the following criteria shall be processed as a MINOR USE PERMIT:~~

- ~~• All facilities other than those meeting the criteria of Tiers 1,2, or 4.~~

2. TIER 4— MAJOR USE PERMIT ADMINISTRATIVE PERMIT

~~Facilities meeting the following criteria shall be processed as a MAJOR USE PERMIT:~~

A Facilities that meetings the following criteria shall be processed as a MAJOR USE an Administrative Permit:

- ~~• Non-camouflaged towers greater than 60 feet, or 15 feet above the maximum allowed height limit in the zone, whichever is lower, shall require a Major Use Permit in all zones (except where they are prohibited).~~

- a) All facilities in Residential, A70, A72 and S92 Rural zones except as specified in Tiers 1 and 2 for facilities listed in subsection a.1 (c) above.
- b) All facilities other than those meeting the criteria of subsection a. 1 above.

Bb. Exceptions

1. In addition to all other requirements in Sections 6980 through 6991, any proposed facility that would be located on a structure currently subject to a Major or Minor Use Permit shall obtain approval of the facility through the modification of the permit in accordance with Section 7378 of this Ordinance for a Use Permit or by Minor Deviation in accordance with Section 7609 of this Ordinance when the facility is would be invisible.
2. Major Use Permits for Wireless Telecommunications Facilities shall be under the original jurisdiction of the Planning Commission.
2. A facility that is part of the Regional Communication System (or similar system) used by law enforcement, fire protection services or other public safety agencies are exempt from the Wireless Telecommunication Facility provisions.
3. Temporary Emergency Facilities:
In the event of a local emergency or natural disaster (e.g., wildland fire, earthquake, etc.), temporary emergency facilities may be permitted with a Building Permit. Temporary facilities may include cell on wheels (COW) or a removable utility pole. A Letter of Authorization verifying the damage to the existing facility or stating the need for a temporary emergency facility, from the Director of the Department of Planning and Land Use (Director), the State of California, or the Federal Government must be submitted with the application for the Building Permit. A temporary emergency wireless facility may be approved for up to six months. One six month extension of the permit may be granted by the Director. The temporary facility shall be removed upon replacement of the damaged facility or at the expiration of the temporary permit, whichever occurs first.
4. Temporary Relocation of Existing Facilities:
The Director may authorize the temporary relocation of an existing permitted Wireless Telecommunication Facility upon the request of the applicant. Temporary relocation may be allowed due to scheduled maintenance of water district facilities or other structures on which an approved Wireless Telecommunication Facility is mounted. The following requirements apply to temporary relocations:
 - a) Temporary facilities include cell on wheels (COW) or removable utility pole;
 - b) Temporary relocation is limited to up to six months within a single three year time period.
 - c) The wireless service provider or its representative shall submit a letter to the Department of Planning and Land Use and the affected water district or owner of the affected structure documenting:
 - i. The scheduled period of temporary relocation;

- ii. The date of removal and date of re-installation on the wireless facility's its permitted location;
 - iii. Description of the proposed design and/or equipment that will be used temporarily (including color, height, generators, operation specifications, etc); and
 - iv. The location of the temporary equipment and facility (aerial photograph and plot plan of location).
- d) The Director will issue a Letter of Authorization to temporarily relocate the wireless facilities to the wireless provider, and a copy will be placed in the permit file.
 - e) The applicant shall re-install the facilities in the permitted location as described or shown in the valid permit within the time specified by the Letter of Authorization.
 - f) Failure to re-install the facilities consistent with the original permit constitutes a violation of this Ordinance.
 - g) If the wireless facility cannot be re-installed at the original location specified in the applicable permit within the authorized six month period, a Minor Deviation or Modification to the original permit must be obtained to permanently relocate the facility on the site. An application for a Minor Deviation or Modification for a permanent re-location shall be subject to all applicable requirements in the Wireless Telecommunications Facilities regulations when the application is determined to be complete.

Gc. General Siting Regulations

1. Non-camouflaged monopoles, lattice towers and guyed towers are prohibited in Residential, and Rural-A70, A72 and S92 zones. However, a non-camouflaged monopole is allowed in these zones: if the property is a Water District Utility Site, improved with an above ground water tank; the Director determines that it is preferable to avoid mounting antennas directly on a tank; and the proposed pole is located close to the existing tank or other vertical elements so that the monopole visually blends into the surrounding area.
2. All buildings and structures built to contain ~~No~~ equipment enclosure accessory to a facility may not exceed 4012 feet in height measured from the base of the foundation unless a greater height is necessary to maximize architectural integration and shall be screened by landscaping.
3. No more than three facilities are allowed on any site or parcel in commercial, industrial, rural or special purpose zones. No more than one wireless facility is allowed on any parcel or site in a Residential zone. This requirement may be waived by the Director may waive this limitation if a finding is made that co-location of more facilities is consistent with community character. he or she makes one of the following findings:
 - a) A co-location of two or more facilities is proposed and is consistent with community character; or

- b) The parcel is a Water District Utility Site and all proposed wireless telecommunication facilities will not exceed the standards of the County Noise Ordinance.
4. A Wireless Telecommunication Facility tower support structure located on a parcel that is adjacent to a parcel with a residential use shall be set back from the nearest residential common lot line by a distance at least equal to the total height of the support structure or 50 feet, whichever is greater. This requirement is not applicable to facilities placed on Water District Utility Sites. The setback shall be measured from that part of the tower that is closest to the neighboring property (i.e., the setback for a faux tree would be measured from the end of the branch closest to the neighboring property. The Director may grant a waiver of this requirement if the owners of the adjacent residential properties with the common property line within 50 feet of the proposed facility provide a statement in writing indicating that they do not object to a lesser setback. However, a waiver shall not allow placement of any antennas, support structures, equipment or equipment enclosures within a required front, rear or side yard setback.
 5. No tower support structure, or equipment enclosure shall be located in a front, rear or side yard setback in any zone, and no portion of any antenna array shall extend beyond the property lines.
 6. Noise from any equipment supporting the wireless facility shall meet the requirements of the County's Noise Ordinance on an average hourly basis.
 7. The Director of Planning and Land Use may waive the requirements for a Site Plan pursuant to Section 7156 of this Ordinance if he or she finds that all of the purposes and requirements of the Site Plan have been or will be fulfilled by another discretionary permit, or where the Director finds that the proposed development or improvement is minor in nature and that the public purpose for which the Site Plan would normally be required will not be harmed by waiving of said the requirement for a Site Plan. The Director's decisions may be appealed pursuant to Section 7200 of the Zoning this Ordinance.
 8. All wireless facilities located on a utility pole shall be promptly removed at the operator's service provider's expense at the time when a the utility is scheduled to be undergrounded.
 9. Maintenance vehicles servicing wireless facilities located in the public or private right of way shall not park on the traveled way or in a manner that would obstruct traffic.
 10. Equipment cabinets enclosures and antenna structures shall be secured to disallow discourage unauthorized access.
 11. Use Permits for high visibility facilities shall have a maximum term of 6 years for facilities valued at less than \$10,000; 10 years for facilities valued from over \$10,000 to \$500,000; and 15 years for facilities valued at \$500,000 or more. This may be extended for an additional period of time by modifying the permit if it is found that no smaller or less visible technology is available or feasible to replace the facility.

~~1211.~~ As a condition of approval, prior to use of the wireless facility, ~~the applicant shall submit evidence to the Department of Planning and Land Use, such as photos, to the satisfaction of the Director of Planning and Land Use to show proof to the~~ Director's satisfaction that the facility as constructed is in conformance with to the photo simulations provided pursuant to Section 6984 (B)b of this Ordinance.

12. A wireless facility that is located on a site that is subject to an Airport Land Use Compatibility Plan shall comply with the requirements of the plan and any requirements of the Federal Aviation Administration.

Section X. Section 6986 of the Zoning Ordinance is amended to read as follows:

6986 PREFERRED SITES

~~Aa.~~ The County has determined that certain zones and locations are preferable to others for siting wireless facilities due to aesthetics and land use compatibility.

1. The preferred zones are as follows:
All Commercial (except C31, C32 & C46), Industrial and Manufacturing zones and property zoned S82, S86, S94, or S88 when the wireless facility would be located in an area designated for commercial or industrial uses in a Specific Plan.

PREFERRED ZONES	NON-PREFERRED ZONES
(a.) C32, C34, C35, C36, C37, C38, C40, C42, C44, M50, M52, M54, M56, M58, S82, S86, S94, and S88 when the facility would be located in a commercial or industrial component of the Specific Plan.	All other zones
(b.) Upon approval by the Director of Planning and Land Use of a Wireless Community Master Plan, the Preferred Zones for that defined geographic area shall be replaced by the locations shown in that Plan for the provider or providers covered by the plan.	

2. The preferred locations are as follows:

- a) Existing structures, including but not limited to structures on a Water District Utility Site, utility towers and poles, and roadway overpasses.
- b) Commercial and industrial buildings.
- c) County or other government facilities (e.g., fire district buildings, freeway "park and ride" lots).
- d) County parks.
- e) Co-location of facilities in a zone other than a Residential zone.

- f) Locations shown on a “Wireless Community Master Plan” approved prior to XX-XX-2011. [effective date of this ordinance].

PREFERRED LOCATIONS	NON-PREFERRED LOCATIONS
<p>(a.) (1) Existing structures, including, but not limited to, water tanks, utility towers and poles, traffic lights, “cobra-style” street lights, and roadway overpasses in non-residential zones when the size and scale are compatible.</p> <p>(2) Commercial and industrial buildings.</p> <p>(3) County or other government facilities (e.g., fire district buildings, road stations, freeway park and ride lots), excluding Elementary and Middle schools and County parks.</p> <p>(4) Co-location in zones other than residential to a total of three (3) towers each.</p> <p>(b.) Upon approval by the Director of Planning and Land Use of a Wireless Community Master Plan, the Preferred Locations for that defined geographic area shall be replaced by the locations shown in that plan for the provider or providers covered by the plan.</p>	<p>All other locations.</p>

- Bb. Each application shall identify the preferred zone and/or preferred location preference that the proposed facility is ~~meetings~~. If the proposed facility is not in a preferred zone identified in ~~6986-A subsection a.(1) above~~ or if it is not in a preferred location identified in ~~6986-A a.(2) above~~, the applicant shall provide a map of the geographical area and a discussion of preferred sites that could potentially serve the same area as the proposed site and describe why each preferred site ~~was~~ not technologically or legally feasible. ~~Facilities proposed to be located in County parks are excluded from this requirement when the Director of the Department of Parks and Recreation has issued a letter of concurrence.~~
- Cc. ~~Projects in a non-preferred zone or non-preferred location~~ A wireless facility that is proposed to be located at a site that is not in a preferred zone or not at a preferred location as described above shall not be approved when siting if it is feasible to locate the wireless facility in a preferred zone or at a preferred location is feasible (see subsection b above) unless a finding is made that the proposed site is preferable due to compatibility with aesthetics and community character compatibility.

Section X. Section 6987 of the Zoning Ordinance is amended to read as follows:

6987 DESIGN REGULATIONS

- Aa. ~~All applications~~ wireless facility proposed to be located at a sites subject to a “H”, “J”, “B” or “D” design review designator shall also meet all requirements ~~pursuant to~~ of Zoning

Ordinance Sections 5700 – 5747 for “H” designators, 5749 for “J” designators, 5750 – 5799 for “B” designators or 5900 – 5910 for “D” designators.

- Bb. To the maximum extent practicable, all camouflaged wireless facilities shall be designed to visually minimize its visual impact and to operationally blend into the surrounding area in a manner consistent with community character and existing development. The design may include screening, landscaping with native species, suitable placement, or other camouflage methods that are compatible with existing architectural elements, building materials and other site characteristics. The facility shall also be appropriate for the specific site (i.e., it should not “stand out” from its surrounding environment, such as a faux tree standing alone in a field or ~~standing at a greater height being significantly taller~~ (five feet or more) than other trees on the site).
- Gc. No wireless facility shall be allowed on any building or structure, or in any district, that is listed or eligible for listing on any Federal, State or local historical register unless it is determined by the Historic Site Board determines that the facility will have no adverse effect on the appearance of the building or structure or its eligibility for historic designation. No change in architecture ~~nor~~ and no High Visibility facility is ~~permitted~~ allowed on any such building, or on any such site or in any such district.
- Dd. ~~In cases where~~ If the proposed facility site ~~is~~ would be visible from “Official”, “First”, “Second” or “Third” Priority ~~a~~ Scenic Highways, as identified in the General Plan, the facility shall be designed and located ~~in such a manner as to avoid adverse visual impacts. Such locations~~ The proposed facility shall use incorporate design methods such as, but not limited to, type of facility, camouflaging, screening and landscaping. No monopoles, lattice towers or guyed towers are permitted allowed at these locations.
- Ee. Façade-mounted antennas shall be architecturally integrated into the building design and otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Façade-mounted antennas shall not extend more than 24 inches out from the building face.
- F. ~~All facilities shall be designed to minimize the visual impact to the greatest extent feasible by means of placement, screening, landscaping with native species, whenever feasible, and camouflage, and to be compatible with existing architectural elements, building materials and other site characteristics. The applicant shall use the least visible antennas possible to accomplish the coverage objectives.~~
- Gf. Colors and materials for a wireless facilities shall be non-reflective and ~~chosen to~~ shall minimize visibility. Facilities, including support structures and equipment ~~and buildings enclosures~~, shall be painted or textured using colors to match or blend with the primary background. All ~~cabinet~~ equipment enclosures visible accessible to the public shall be treated with a graffiti-resistant coating.
- Hg. Beacon lights shall not be included ~~in the design of~~ on a wireless facilities unless required by the Federal Aviation Administration and, when required, shall be included ~~when~~ in calculating the height of the facility.
- th. No ~~H~~ high ~~V~~ visibility facility, including ancillary support equipment, may be located between the face of a building and a public street, bikeway, trail or park.
- Ji. No signs, striping, graphics or other attention getting devices are ~~permitted~~ allowed on the transmission tower or ancillary facilities except for warning and safety signage with a

surface area of no more than three square feet. ~~Such~~The signage shall be affixed to a fence or ancillary facility and ~~the number of signs is limited to no more than two~~ only two signs are allowed for each wireless facility unless a greater number is required by law.

- Kj. All high visibility facilities ~~shall be sited in such a manner as~~ located to cause the least detriment to the viewshed of adjoining properties.
- Lk. ~~A R~~oof mounted antennas shall be constructed at the minimum height possible to serve the operator's service area and shall be set back ~~as far~~ from the edge of the building as far as possible or otherwise screened to minimize ~~their~~ its visibility.
- Ml. No net loss in required parking spaces shall occur as a result of the installation of any wireless telecommunications facility.
- Nm. ~~Cabinets and other~~ Equipment and equipment enclosures shall not impair pedestrian use of sidewalks or other pedestrian pathways, nor inhibit equestrian activities on designated public or private trails ~~systems~~ and shall be screened from the sidewalk by landscaping, undergrounding or other means, ~~excluding new walls and fences~~.
- On. ~~In cases where~~ If the wireless facility site is would be visible from a County park or is proposed to be located in a County P park, the facility shall be designed and located in ~~such a manner as to avoid adverse visual impacts. Such locations~~ The wireless facility shall use incorporate design methods, such as, but not limited to, type of facility, camouflaging, screening and landscaping. No monopoles, lattice towers or guyed towers are permitted allowed in a County park.
- Po. The use of chain link fences for security of equipment is ~~permitted~~ allowed if the fence is fully screened by landscaping. No razor wire or barbed wire is ~~permitted~~ allowed. Slats do not satisfy the requirement for screening.
- Qp. Site lighting shall be kept to a minimum ~~in every instance~~, shall be shielded to direct the light downward, shall be controlled by a manual switch or timed switch of no greater than one hour's duration and shall not be used except when nighttime maintenance is necessary.
- Rq. No wireless facility ~~sited~~ shall be located on a ridgeline or hilltop ~~shall be approved~~ unless the facility blends with the surrounding existing and man-made environment to the maximum extent possible and a finding is made that no other location is feasible.

Section X. Section 6988 of the Zoning Ordinance is amended to read as follows:

6988 MAINTENANCE

- Aa. All graffiti on any components of the wireless facility shall be removed promptly in accordance with County regulations. Graffiti on any facility in the public right-of-way must be removed within ~~48~~ 72 hours of notification.
- Bb. All landscaping shall be maintained at all times and shall be promptly replaced if ~~not successful~~ it dies .
- Gc. If a flagpole is used for camouflaging a facility, flags must be flown and must be properly maintained at all times.

- ~~Dd.~~ All wireless telecommunications sites shall be kept clean and free of litter.
- ~~Ee.~~ All equipment ~~cabinets~~enclosures shall display a legible operator's contact number for reporting maintenance problems.

Section X. Section 6989 of the Zoning Ordinance is amended to read as follows:

6989 ABANDONMENT OR DISCONTINUATION OF USE

- ~~Aa.~~ All ~~operators~~ service provider who intends to abandon or discontinue the use of any wireless telecommunications facility shall notify the County of such intentions no less than 60 days prior to the final day of use.
- ~~Bb.~~ A wireless telecommunications facility with use discontinued that is no longer used shall be considered abandoned 90 days following the final day of use.
- ~~Cc.~~ All ~~an~~ abandoned wireless facilities shall be physically completely removed from the site by the facility owner/service provider no more than 90 days following the ~~final day of use or of~~ determination that the facility has been abandoned, ~~whichever occurs first~~.
- ~~Dd.~~ The County reserves the right to remove any abandoned wireless facilities that are abandoned for more than 90 days at the expense of the facility owner/service provider.
- ~~Ee.~~ The service provider of a wireless facility that has beenAny abandoned shall promptly restore the site shall be restored to its natural or former condition. Grading and landscaping in good condition may remain.

Section X. Section 6990 of the Zoning Ordinance is amended to read as follows:

6990 REVOCATION

Failure to comply with any condition of approval or ~~standard~~any applicable requirement in this these Wireless Telecommunications Facilities regulations shall constitute grounds for possible revocation of use pursuant to Sections 7174, 7380 and 7382 of the ~~is~~ Zoning Ordinance.

Section X. Section 6991 of the Zoning Ordinance is amended to read as follows:

6991 AMORTIZATION OF HIGH VISIBILITY WIRELESS TELECOMMUNICATION FACILITIES IN RESIDENTIAL AND RURAL ZONES

Notwithstanding any other sections regulating wireless facilities, all facilities defined as "high visibility" by ~~this ordinance, these regulations~~ and located in a Residential, ~~or Rural~~Agricultural or S92 Zone shall be brought into conformance with ~~this these Wireless Telecommunications Facilities regulations ordinance under the following amortization schedule by April 30, 2018~~. The time allowed shall be measured from the effective date of this ordinance. ~~The Director may extend the amortization period upon a showing of economic hardship to the owner.~~

_____ Fair Market Value on Effective Date _____	Minimum Years Allowed
_____ Under \$10,000 _____	6
_____ \$10,000 - \$500,000 _____	10
_____ Over \$500,000 _____	15

Section X. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Commerce, a newspaper of general circulation published in the County of San Diego.

DRAFT